

ENTERED

July 01, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

GUILHERME CASALICCHIO,

Plaintiff,

VS.

BOKF, N.A. D/B/A BANK OF TEXAS, *et al*,

Defendants.

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CIVIL ACTION NO. 4:18-CV-160

ORDER


Pending before the Court is Defendant's Motion for Attorney's Fees (**Instrument No. 49**). The Fifth Circuit has found that there is a plausible basis for awarding attorney's fees. The Court agrees that the deed of trust provision does allow Defendant to charge Plaintiff for attorney's fees in connection with this default. Plaintiff's response to Defendant's motion seeks to re-litigate the merits of this case. That is not the purpose of this motion. Plaintiff does, however, raise a valid point about what a reasonable attorney fee should be for the collection of a defaulted debt of \$7,753.12. Plaintiff argues that \$316,000 in fees (the amount charged before the courtesy deduction of \$104,051) is not reasonable. The Court has attempted to review the Defendant's request for \$212,519.25 in attorney's fees. The records provided to the Court contain entries that are so tiny, they are basically illegible. Even after blowing them up and reviewing them online, they are extremely difficult to read. Moreover, the bills actually total \$263,259.10. The alleged courtesy deduction is \$104,081. There is no explanation, and the Court is unable to discern, the calculation for the current demand of \$212,519.25.

In any event, the Court finds that this attorney fee demand is unreasonable. Moreover, a number of the listed costs are not recoverable as attorney's fees (i.e. West Law, research, postage and Federal Express charges).

The Court finds that Defendant should recover reasonable attorney's fees in the amount of **\$100,000**.

The Clerk shall enter this Order and provide a copy to all parties.

SIGNED on this the 1st day of July, 2021, at Houston, Texas.



VANESSA D. GILMORE
UNITED STATES DISTRICT JUDGE